

## **REMARKS**

Applicant respectfully requests reconsideration of this application as amended. No claims have been amended or cancelled. No new claims have been added. Therefore, claims 1-14 now are presented for examination.

### **35 U.S.C. § 103 Rejection**

Claims 1-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kochanski et al. U.S. Patent No.6,625,576, (“Kochanski”), in view of Narayan, U.S. Patent No. 5,717,827 (“Narayan”).

In response, Applicant submits a declaration pursuant to 37 C.F.R. § 1.131 enclosed herewith to overcome Kochanski. The submitted declaration illustrates that the present application had been conceived and reduced to practice in the United States at least prior to January 29, 2001, the filing date of Kochanski. Reduction to practice occurs upon proof that the inventor had prepared drawings or other descriptions of the invention that are sufficiently specific to enable a person skilled in the art to practice the invention. (see Pfaff v. Wells Elec., Inc., 525 U.S. 55).

Applicant submits that the declaration pursuant to 37C.F.R. § 1.131 removes the rejection under 35 U.S.C. §103(a). Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Applicant emphasizes that submission of the enclosed declaration pursuant to 37 C.F.R. §1.131 should not be construed as an acquiescence to the any of the reasons for rejection set forth in the May 3, 2005 Office Action.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 25, 2005



Aslam A. Jaffery  
Reg. No. 51,841

12400 Wilshire Boulevard  
7<sup>th</sup> Floor  
Los Angeles, California 90025-1030  
(303) 740-1980